

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

FILED

APR 13 2016

SECRETARY, BOARD OF
OIL, GAS & MINING

IN THE MATTER OF THE REQUEST FOR
AGENCY ACTION OF CRESCENT POINT
ENERGY U.S. CORPORATION FOR AN
ORDER ESTABLISHING A 640-ACRE
DRILLING UNIT FOR THE PRODUCTION
OF OIL, GAS, AND ASSOCIATED
HYDROCARBONS FROM THE LOWER
GREEN RIVER AND GREEN RIVER-
WASATCH FORMATIONS IN SECTION 9,
TOWNSHIP 4 SOUTH, RANGE 2 EAST,
U.S.M., UINTAH COUNTY, UTAH

**MOTION TO ALLOW PETITIONER'S
WITNESSES TO PARTICIPATE
ELECTRONICALLY**

Docket No. 2016-009

Cause No. 142-14

CRESCENT POINT ENERGY U.S. CORPORATION, Petitioner, by and through its attorneys, MacDonald & Miller Mineral Legal Services, PLLC, and pursuant to Utah Administrative Code Rules R641-100-400, R641-100-600, and R641-105-300, hereby moves the Utah Board of Oil, Gas and Mining (the "**Board**") to enter an order allowing its witnesses to appear, testify, and participate electronically via telephonic/video conferencing at the Board's regularly scheduled April 27, 2016 hearing in the above-referenced Cause.

The issues presented by Crescent Point Energy U.S. Corporation's ("**CPE**") Request for Agency Action are relatively uncomplicated and uncontested—the nature of the proceeding does not mandate the witnesses' personal appearance. CPE's operations are based in Denver, Colorado, which would require CPE's witnesses to travel to Salt Lake City to personally appear at the Board's April 27, 2016 hearing. Such travel would require CPE to incur a significant travel expense for its witnesses to appear in person. Allowing CPE's witnesses to testify and participate at the hearing electronically will eliminate the need for them to travel to Salt Lake City, decreasing CPE's operational expenses compared to the witnesses appearing personally.

As the Board is aware, current market prices for oil and gas have significantly affected the oil and gas companies' operating budgets, necessitating the need to find ways to increase efficiency and to cut costs. Allowing CPE's witnesses to participate in the hearing electronically will be more efficient and cost-effective. Weighing these factors against the fact that no prejudice should arise from electronic participation supports CPE's Motion. The Board recently has granted similar motions for similar reasons (*see e.g.*, Docket No. 2016-004; Cause No. 131-142, and Docket No. 2016-006; Cause No. 166-08).

The Board may allow electronic appearances by witnesses based upon a showing of good cause if circumstances prevent attendance in person and with at least 48 hours of advance notice. Utah Admin. Code Rules R641-100-631. The hearing in this Cause is scheduled for April 27, 2016—well more than 48 hours away. The matter is uncontested and the Division of Oil, Gas and Mining (the “**Division**”) is the only other party. CPE's counsel has discussed CPE's Motion with the Division's counsel, and the Division does not object to CPE's witnesses appearing at the hearing electronically. Based on the foregoing, it is reasonable for the Board to grant CPE's Motion under Rule 641-100-600, and to otherwise exercise its discretion under Rule R641-100-400 to waive personal appearance in this matter.

If its Motion is granted, CPE will comply with all other provisions of Utah Administrative Code Rule R641-100-600, including the requirement to have an attorney present at the noticed location (*see* Utah Admin. Code Rule R641-100-633). Additionally, if its Motion is granted, CPE will diligently work with the Board's staff prior to the hearing date to ensure its video conferencing capabilities are compatible with the Board's system to prevent problems at the hearing. A proposed form of Order is submitted herewith.

Respectfully submitted this 13th day of April, 2016.

**MACDONALD & MILLER
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Attorneys for Petitioner Crescent Point Energy U.S.
Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, I caused a true and correct copy of the foregoing Motion to Allow Petitioner's Witnesses to Participate Electronically, with proposed order granting same, to be sent electronically (where e-mail addresses are indicated) and/or mailed, postage pre-paid, to the following:

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The Board of Oil, Gas and Mining, having fully considered Crescent Point Energy U.S. Corporation's ("CPE") Motion to Allow Petitioner's Witnesses to Appear Electronically (the "Motion"), and finding good cause shown, hereby grants the Motion. CPE's witnesses are hereby authorized to appear, testify, and participate in the Board's April 27, 2016 hearing in this Cause electronically. CPE shall diligently work with the Board's staff prior to the hearing to ensure its video conferencing capabilities are compatible with the Board's system to prevent problems at the hearing.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

DATED this ____ day of April, 2016.

**STATE OF UTAH
BOARD OF OIL, GAS AND MINING**

By: _____
Ruland J Gill, Jr., Chairman